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December 1, 2021

VIA PACER & FEDEX

Honorable Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jennifer Hough v. Onika Tanya Maraj AKA ("Nicki Minaj") and Kenneth Petty AKA ("Zoo"); Case No. 1:21-cv-04568-ENV-JRC

Dear Judge Vitaliano:

Tyrone Blackburn, Esq., McGivney, Kluger, Clark & Intoccia, P.C., and this firm represent the Plaintiff Jennifer Hough ("Plaintiff") in the above action. Plaintiff submitted a letter to the Court seeking Your Honor's assistance on briefing scheduling ("Plaintiff's Letter") [See Dkt. No. 37].

Plaintiff waited from October 26 for Defendant Onika Tanya Maraj ("OTM") to agree on a briefing schedule. [Dkt. No. 37, Exhibits A and C]. Plaintiff offered OTM a briefing schedule consistent with that for motions relating to or filed by Defendant Kenneth Petty ("KP"). OTM responded, "I may be better off waiting to see what the Court does on your motion...if he grants your motion, **I get a second bite at the apple based upon what I see you do.**" [emphasis added]. [Dkt. No. 37, Exhibits A and C]. The choice of words, although unfortunate, are not Plaintiff's. These emails are required to comply with the Individual Rules.¹ Plaintiff continued attempts to reach agreement with OTM for more than a month.

Finally, on November 30, OTM declined to agree. Plaintiff advised she would file Plaintiff's Letter; OTM requested Plaintiff include OTM's proposed briefing schedule. [Dkt. No. 37, Exhibits A and C] Plaintiff complied. Today, OTM objects to Plaintiff's Letter ("OTM's Letter"). Rather than address a briefing schedule, OTM focuses on frivolous non-sequiturs, like whether the undersigned is "discourteous" or if Plaintiff complies with the Individual Rules. The only issue to be resolved is the briefing schedule.

Counsel will only address personal attacks if the Court deems necessary. Plaintiff asserts OTM's letter demonstrates needless delay, when ironically, motions relate to whether OTM and/or KP intentionally delayed responding to this Complaint, giving rise to the motions for default.

Plaintiff rests on her prior filed letter and seeks a briefly schedule in accordance with same.

¹Rule III(A)(B) of the Court's Individual Motion Practice and Rules provides: "[T]he parties are to jointly file a letter proposing a briefing schedule for Court approval. **If the moving party is unable to obtain the adversary's consent to the proposed briefing schedule, the moving party must state the reasons consent was not obtained, including describing any unsuccessful efforts to reach the adversary....**" (emphasis added).

Honorable Eric N. Vitaliano
December 1, 2021

Respectfully submitted,



Steven N. Gordon, Esq.

cc:

Judd Burstein, Esq. (Via Pacer)
Emily Finestone, Esq. (Via Pacer)
Steven D. Isser, Esq. (Via Pacer)